


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.
05 AUG 23 PM 3: 17

ANDY STACHAR and
MICHELLE STACHAR,

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

Plaintiffs,

vs.

No. 05-2479 MaV

ALLSTATE INDEMNITY COMPANY
OF TENNESSEE,

Defendant.

RULE 16(B) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are
established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)): September 9, 2005

JOINING PARTIES:

For Plaintiff: September 30, 2005

For Defendant: September 30, 2005

AMENDING PLEADINGS:

For Plaintiff: September 30, 2005

For Defendant: September 30, 2005

COMPLETING ALL DISCOVERY: December 1, 2005 April 25, 2006

(a) REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS

ADMISSIONS: December 1, 2005

(b) EXPERT DISCLOSURE (Rule 26(a)(2)):

(I) Plaintiff's Experts: December 15, 2005

(ii) Defendant's Experts: January 2, 2006

(iii) Supplementation under Rule 26(e): April 10, 2006

(c) DEPOSITIONS OF EXPERTS: April 25, 2006

FILING DISPOSITIVE MOTIONS: may January 15, 2006

~~**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**~~

~~For Plaintiff: January 15, 2006~~

~~For Defendant: January 15, 2006~~

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last two (2) days and is SET for JURY TRIAL on a date to be determined by the district judge at _____. A joint pretrial order is due on _____. In the

event the parties are unable to agree on a joint pre-trial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer or objection which is the subject

of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and Certificate of Consultation.

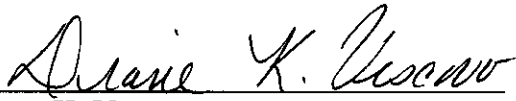
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

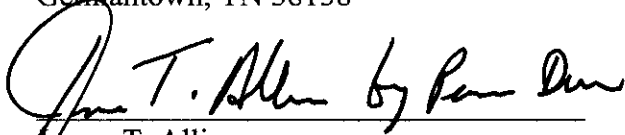

Diane K. Vescovo
UNITED STATES MAGISTRATE JUDGE

Date: August 22, 2005

Approved for Entry:



David M. Waldrop (13079)
Attorney for Defendant
Holley, Waldrop, Nearn & Lazarov P.C.
9032 Stone Walk Place
Germantown, TN 38138



James T. Allison
Attorney for Plaintiffs
100 North Main St., Suite 2309
Memphis, TN 38103



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02479 was distributed by fax, mail, or direct printing on August 26, 2005 to the parties listed.

James T. Allison
LAW OFFICE OF JAMES T. ALLISON
100 North Main Bldg.
Ste. 2309
Memphis, TN 38103

David M. Waldrop
HOLLEY WALDROP NEARN & LAZAROV
9032 Stone Walk Place
Germantown, TN 38138

Honorable Samuel Mays
US DISTRICT COURT